

MEMORANDUM

Agenda Item No. 11(A)(16)

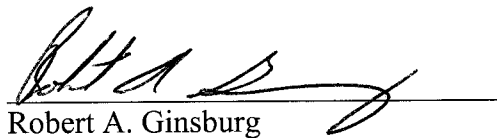
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: May 3, 2005

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Resolution relating to
unused or abandoned
boat slips

The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Bruno A. Barreiro.


Robert A. Ginsburg
County Attorney

RAG/bw



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: May 3, 2005

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 11(A)(16)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor

Agenda Item No. 11(A)(16)

Veto _____

5-3-05

Override _____

RESOLUTION NO. _____

RESOLUTION DIRECTING COUNTY MANAGER TO
PREPARE POLICIES FOR THE DETERMINATION OF THE
NUMBER OF UNUSED OR ABANDONED EXISTING LEGAL
BOAT SLIPS FOR A PARTICULAR PROPERTY AND THE
REALLOCATION OF THOSE SLIPS TO ANOTHER
PROPERTY ON THE MIAMI RIVER

WHEREAS, boating and the marine industry are vital components of the vitality of the
Miami River; and

WHEREAS, existing legal boat slips are sometimes abandoned or removed on certain
properties along the Miami River during the course of redevelopment or land use changes; and

WHEREAS, the maintenance of adequate authorized boat slips along the Miami River is
of paramount concern for the vitality of the river; and

WHEREAS, manatee protection requirements encourage continued use or repair of
existing slips, but can sometimes limit the number of new boat slips which may be authorized for
properties on the Miami River; and

WHEREAS, the reallocation of existing but abandoned or removed boat slips from a
Miami River property to another suitable site on the Miami River, would maintain vessel access
and storage without adversely impacting manatees, and would be in the best interest of the
Miami River,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY
COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that the County Manager is
hereby directed to prepare a policy which shall create procedures whereby owners of property
along the Miami River can request an official determination by DERM of the number of existing

legal boat slips authorized for that property and to maintain a record of those determinations and that allows for the reallocation of such slips to other properties on the Miami River to the extent that such reallocation may be authorized by all other local, state, and federal regulations.

The foregoing resolution was sponsored by Commissioner Bruno A. Barreiro and offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	
Dennis C. Moss, Vice-Chairman	
Bruno A. Barreiro	Dr. Barbara Carey-Shuler
Jose "Pepe" Diaz	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Dorin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairman thereupon declared the resolution duly passed and adopted this 3rd day of May, 2005. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

TR

Thomas H. Robertson